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| FORM PTO 1390 (REV 10-2003) | | U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE | | ATTORNEY'S DOCKET NUMBER 1599-0269PUS1 |
| TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371 | | | | U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 107510514 NEW |
| INTERNATIONAL APPLICATION NO. PCT/KR2003/000683 | INTERNATIONAL FILING DATE 4 April 2003 | PRIORITY DATE CLAIMED 8 April 2002 | | |
| TITLE OF INVENTION PROCESS FOR PREPARING ACID SALTS OF GEMIFLOXACIN | | | | |
| APPLICANT(S) FOR DO/EO/US Hoon CHOI; Sang-Chul CHOI; Do-Hyun NAM; and Bo-Seung CHOI | | | | |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information: | | | | |
| <p>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing 35 U.S.C. 371.</p> <p>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371 (f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c)(2)) a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</p> <p>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)). a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</p> <p>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)) a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).</p> <p>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).</p> | | | | |
| Items 11 to 20 below concern document(s) or information included: | | | | |
| <p>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input type="checkbox"/> A preliminary amendment.</p> <p>14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13/ter.2 and 37 CFR 1.821 - 1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p> <p>20. <input checked="" type="checkbox"/> Other items or information: PCT/IPEA/409; PCT/ISA/210</p> | | | | |

| U.S. APPLICATION NO. (if known) see 37 CFR 1.51 107510514 NEW | | INTERNATIONAL APPLICATION NO. PCT/KR2003/000683 | ATTORNEY'S DOCKET NUMBER 1599-0269PUS1 | | | | | | | | | | | | | | | | | | | | | | | | |
|---|---|--|---|-------------------------------------|---|--------------------------|--|--------------------------|---|--------------------------|--|--------------------------|--|---|---------|---|--|----------|-----------|--|--|--------------------------------------|--|--|--|-------------|--|
| 21. <input checked="" type="checkbox"/> The following fees are submitted: | | CALCULATIONS PTO USE ONLY | | | | | | | | | | | | | | | | | | | | | | | | | |
| BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) – (5)): <table border="0"> <tr> <td><input checked="" type="checkbox"/></td> <td>Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1080.00</td> </tr> <tr> <td><input type="checkbox"/></td> <td>International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$920.00</td> </tr> <tr> <td><input type="checkbox"/></td> <td>International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$770.00</td> </tr> <tr> <td><input type="checkbox"/></td> <td>International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$730.00</td> </tr> <tr> <td><input type="checkbox"/></td> <td>International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00</td> </tr> </table> | | | | <input checked="" type="checkbox"/> | Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1080.00 | <input type="checkbox"/> | International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$920.00 | <input type="checkbox"/> | International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$770.00 | <input type="checkbox"/> | International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$730.00 | <input type="checkbox"/> | International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00 | | | | | | | | | | | | | | |
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| <input type="checkbox"/> | International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| ENTER APPROPRIATE BASIC FEE AMOUNT = | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492 (e)). | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>CLAIMS</th> <th>NUMBER FILED</th> <th>NUMBER EXTRA</th> <th>RATE</th> </tr> </thead> <tbody> <tr> <td>Total claims</td> <td>19-20 =</td> <td>x</td> <td>\$ 0.00</td> </tr> <tr> <td>Independent claims</td> <td>1-3 =</td> <td>x</td> <td>\$ 0.00</td> </tr> <tr> <td colspan="2">MULTIPLE DEPENDENT CLAIM(s) (if applicable)</td> <td>+ 300.00</td> <td>\$ 300.00</td> </tr> <tr> <td colspan="2"></td> <td colspan="2" style="text-align: center;">TOTAL OF ABOVE CALCULATIONS =</td> </tr> <tr> <td colspan="2"></td> <td colspan="2" style="text-align: right;">\$ 1,540.00</td> </tr> </tbody> </table> | | | | CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | Total claims | 19-20 = | x | \$ 0.00 | Independent claims | 1-3 = | x | \$ 0.00 | MULTIPLE DEPENDENT CLAIM(s) (if applicable) | | + 300.00 | \$ 300.00 | | | TOTAL OF ABOVE CALCULATIONS = | | | | \$ 1,540.00 | |
| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | | | | | | | | | | | | | | | | | | | | | | | | |
| Total claims | 19-20 = | x | \$ 0.00 | | | | | | | | | | | | | | | | | | | | | | | | |
| Independent claims | 1-3 = | x | \$ 0.00 | | | | | | | | | | | | | | | | | | | | | | | | |
| MULTIPLE DEPENDENT CLAIM(s) (if applicable) | | + 300.00 | \$ 300.00 | | | | | | | | | | | | | | | | | | | | | | | | |
| | | TOTAL OF ABOVE CALCULATIONS = | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | \$ 1,540.00 | | | | | | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by $\frac{1}{2}$. | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| SUBTOTAL = | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| \$ 1,540.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492 (f)). | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| TOTAL NATIONAL FEE = | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| \$ 1,540.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property + \$ | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| TOTAL FEES ENCLOSED = | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| \$ 1,540.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | Amount to be refunded: | \$ | | | | | | | | | | | | | | | | | | | | | | | | |
| | | charged: | \$ | | | | | | | | | | | | | | | | | | | | | | | | |
| a. <input checked="" type="checkbox"/> A check in the amount of \$ 1,540.00 to cover the above fees is enclosed. | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed. | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 02-2448. A duplicate copy of this sheet is enclosed. | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status. | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| SEND ALL CORRESPONDENCE TO:  SIGNATURE: James T. Eller, Jr. NAME | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| CUSTOMER NUMBER: 02292 | | REGISTRATION NUMBER | | | | | | | | | | | | | | | | | | | | | | | | | |
| October 7, 2004 | | 39,538 | | | | | | | | | | | | | | | | | | | | | | | | | |
| /clb | | | | | | | | | | | | | | | | | | | | | | | | | | | |